

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

156T0673

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 169** - 2/7/2012

Introduced by: Senators Hansen (Tom), Begalka, Frerichs, Krebs, Novstrup (Al), and Peters  
and Representatives Street, Greenfield, Rozum, Sigdestad, and Tulson

1 FOR AN ACT ENTITLED, An Act to create certain watershed districts and to establish the  
2 Regional Watershed Advisory Task Force.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 46A-14 be amended by adding thereto a NEW SECTION to read  
5 as follows:

6 The James River Watershed District is hereby established. The James River Watershed  
7 District may include any conservation district, or any watershed district that is formed under any  
8 conservation district, located in Aurora, Beadle, Bon Homme, Brown, Clark, Davison, Day,  
9 Douglas, Edmunds, Faulk, Hand, Hanson, Hutchinson, Hyde, Jerauld, Kingsbury, Marshall,  
10 McCook, McPherson, Miner, Sanborn, Spink, and Yankton counties. A conservation district  
11 or watershed district shall be included in the James River Watershed District upon passage of  
12 a resolution to that effect by the conservation district board of supervisors. The initial board of  
13 managers for the James River Watershed District shall consist of a district supervisor from each  
14 conservation district who shall be nominated by the conservation district in the resolution for



1 inclusion in James River Watershed District. The James River Watershed District shall operate  
2 after formation under the provisions of chapter 46A-14.

3 Section 2. That chapter 46A-14 be amended by adding thereto a NEW SECTION to read  
4 as follows:

5 There is hereby established the Regional Watershed Advisory Task Force. The task force  
6 shall consist of the following fourteen members:

7 (1) The speaker of the House of Representatives shall appoint four members of the  
8 House of Representatives, no more than two of whom may be from one political  
9 party;

10 (2) The speaker of the House of Representatives shall appoint three members of the  
11 general public. At least one of the members shall have a background in natural  
12 resources law, science, or management, and at least one of the members shall have  
13 an agricultural or business background;

14 (3) The president pro tempore of the Senate shall appoint four members of the Senate,  
15 no more than two of whom may be from one political party; and

16 (4) The president pro tempore of the Senate shall appoint three members of the general  
17 public. At least one of the members shall have a background in natural resources law,  
18 science, or management, and at least one of the members shall have an agricultural  
19 or business background.

20 The initial appointments shall be made no later than July 1, 2012, and shall serve until  
21 January 12, 2013. The speaker of the House of Representatives and president pro tempore of the  
22 Senate, before the close of each regular session of the Legislature held in odd-numbered years,  
23 shall appoint members to the task force for a term of two years. If there is a vacancy on the task  
24 force, the vacancy shall be filled in the same manner as the original appointment.

1       Section 3. That chapter 46A-14 be amended by adding thereto a NEW SECTION to read  
2 as follows:

3       The Regional Watershed Advisory Task Force established pursuant to section 2 of this Act  
4 shall advise the James River Watershed District created pursuant to section 1 of this Act and any  
5 other new or existing watershed district created pursuant to chapter 46A-14 on matters relating  
6 to drainage, erosion, flood control, reclamation, environmental protection, and improvement of  
7 lands, soils, waters, and all other authorized purposes. In addition, the task force shall consider  
8 potential alternative organizational structures and entities appropriate to address such issues.  
9 The task force shall report to the Senate and House of Representatives and may submit a copy  
10 of its report to the Governor. The task force may present draft legislation and policy  
11 recommendations to the Legislative Research Council Executive Board. The task force shall  
12 make recommendations in the following areas:

- 13       (1)   The proper role, purposes, structure, powers, boundaries, and financing for regional  
14             and local watershed districts and the relationship of such districts to other types of  
15             water and natural resources-related special purpose districts;
- 16       (2)   The role of watershed districts and other state and local government entities with  
17             respect to drainage issues, including drainage planning and management, resolution  
18             of drainage disputes, and recommendations for potential realignment of  
19             responsibilities for drainage matters; and
- 20       (3)   Potential alternative organizational structures, entities, and strategies appropriate to  
21             address statewide, regional, and local issues relating to water and natural resources  
22             conservation, protection, management, and use.